



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ४, अंक १९]

मंगळवार, मार्च २०, २०१८/फाल्गुन २९, शके १९३९

[पृष्ठे ४, किंमत : रुपये २७.००

असाधारण क्रमांक ३९

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2018 (Mah. Act No. XXI of 2018), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

RAJENDRA G. BHAGWAT,
I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXI OF 2018.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 20th March 2018.)

An Act further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965.

WHEREAS it is expedient further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter appearing; it is hereby enacted in the Sixty-ninth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. This Act may be called the Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2018.

CHAPTER II

AMENDMENTS TO THE MUMBAI MUNICIPAL CORPORATION ACT.

Amendment
of section 5B
of III of
1888.

2. In section 5B of the Mumbai Municipal Corporation Act (hereinafter referred to as “the Mumbai Municipal Corporation Act”), for the first proviso, the following proviso shall be substituted, namely :—

“Provided that, for the General or bye-elections for which the last date of filing of nomination falls during the period commencing on the date of commencement of the Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2018 and ending on the 30th June 2019, in accordance with the election programme declared by the State Election Commission, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing the nomination papers but who has not received the validity certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,—

Mah.
XXI
of 2018.

(i) a true copy of the application preferred by him to the Scrutiny Committee for issuance of the validity certificate or any other proof of having made such application to the Scrutiny Committee; and

(ii) an undertaking that he shall submit, within a period of six months from the date of his election, the validity certificate issued by the Scrutiny Committee :”.

Amendment
of section 37
of III of
1888.

3. In section 37 of the Mumbai Municipal Corporation Act, in sub-section (2A), for the first proviso, the following proviso shall be substituted, namely :—

“Provided that, for the elections for the office of the Mayor for which the last date of filing of nomination falls during the period commencing on the date of commencement of the Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2018 and ending on the 30th June 2019, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing the nomination papers but who has not received the validity certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,—

Mah.
XXI
of 2018.

(i) a true copy of the application preferred by him to the Scrutiny Committee for issuance of the validity certificate or any other proof of having made such application to the Scrutiny Committee; and

(ii) an undertaking that he shall submit, within a period of six months from the date of his election, the validity certificate issued by the Scrutiny Committee.”.

CHAPTER III

AMENDMENTS TO THE MAHARASHTRA MUNICIPAL CORPORATIONS ACT.

Amendment
of section 5B
of LIX of
1949.

4. In section 5B of the Maharashtra Municipal Corporations Act (hereinafter referred to as “ the Maharashtra Municipal Corporations Act”), for the first proviso, the following proviso shall be substituted, namely :—

LIX of
1949.

“Provided that, for the General or bye-elections for which the last date of filing of nomination falls during the period commencing on the date of commencement of the Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and the Maharashtra Municipal

Mah. XXI
of 2018.

Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2018 and ending on the 30th June 2019, in accordance with the election programme declared by the State Election Commission, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing the nomination papers but who has not received the validity certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,—

(i) a true copy of the application preferred by him to the Scrutiny Committee for issuance of the validity certificate or any other proof of having made such application to the Scrutiny Committee ; and

(ii) an undertaking that he shall submit, within a period of six months from the date of his election, the validity certificate issued by the Scrutiny Committee : ”.

5. In section 19 of the Maharashtra Municipal Corporations Act, in sub-section (1B), for the first proviso, the following proviso shall be substituted, namely :—

Amendment of section 19 of LIX of 1949.

“Provided that, for the elections for the office of the Mayor for which the last date of filing of nomination falls during the period commencing on the date of commencement of the Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2018 and ending on the 30th June 2019, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing the nomination papers but who has not received the validity certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,-

(i) a true copy of the application preferred by him to the Scrutiny Committee for issuance of the validity certificate or any other proof of having made such application to the Scrutiny Committee; and

(ii) an undertaking that he shall submit, within a period of six months from the date of his election, the validity certificate issued by the Scrutiny Committee:”.

CHAPTER IV

AMENDMENTS TO THE MAHARASHTRA MUNICIPAL COUNCILS, *NAGAR PANCHAYATS* AND INDUSTRIAL TOWNSHIPS ACT, 1965.

6. In section 9A of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (hereinafter referred to as “the Municipal Councils Act”), for the first proviso, the following proviso shall be substituted, namely :—

Amendment of section 9A of Mah. XL of 1965.

“ Provided that, for the General or bye-elections for which the last date of filing of nomination falls during the period commencing on the date of commencement of the Mumbai Municipal Corporation, the

Mah.
XXI
of 2018.

Mah.
XL of
1965.

Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2018 and ending on the 30th June 2019, in accordance with the election programme declared by the State Election Commission, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing the nomination papers but who has not received the validity certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,—

(i) a true copy of the application preferred by him to the Scrutiny Committee for issuance of the validity certificate or any other proof of having made such application to the Scrutiny Committee ; and

(ii) an undertaking that he shall submit, within a period of six months from the date of his election, the validity certificate issued by the Scrutiny Committee : ”.

7. In section 51-1B of the Municipal Councils Act, for the first proviso, the following proviso shall be substituted, namely :—

“Provided that, for the elections for the office of the President for which the last date of filing of nomination falls during the period commencing on the date of commencement of the Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2018 and ending on the 30th June 2019, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing the nomination papers but who has not received the validity certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,—

(i) a true copy of the application preferred by him to the Scrutiny Committee for issuance of the validity certificate or any other proof of having made such application to the Scrutiny Committee; and

(ii) an undertaking that he shall submit, within a period of six months from the date of his election, the validity certificate issued by the Scrutiny Committee :”.

8. In section 341B of the Municipal Councils Act, in sub-section (4),—

(a) after the word and figure “ section 9 ” the figure and letter “, 9A ” shall be inserted ;

(b) for the word, figures and letter “ section 51-1A ” the words, figures and letters “ sections 51-1A and 51-1B ” shall be substituted.

Mah.
XXI
of 2018.

Amendment
of section
341B of
Mah. XL of
1965.